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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

BRENT SCHAFER and TODD
CONSTRUCTION, INC., an Oregon
corporation,

Plaintiffs,

v.

ASSOCIATION FOR SMALL,
CLOSELY HELD BUSINESSES, a
Delaware corporation; CRONIN
INSURANCE AGENCY, INC., a
California corporation; ESTATE OF
LAWRENCE D. CRONIN; KENNETH
FEHL; and CLARK LANGRALL, JR.,

Defendants.

Case No. C 13-00659 WHA

**JOINT STIPULATION TO DISMISS
DEFENDANT CLARKE LANGRALL, JR.
WITHOUT PREJUDICE**

CMC: May 9, 2013

WHEREAS, on February 14, 2013, plaintiffs filed the Complaint initiating this action, in which plaintiffs alleged, among other things, that Clarke Langrall, Jr., erroneously sued as Clark Langrall, Jr. ("Langrall"), was liable to plaintiffs for negligence;

WHEREAS, on March 28, 2013, Langrall filed his Motion to Dismiss, which was based in part on alleged lack of personal jurisdiction;

WHEREAS, plaintiffs and Langrall wish to avoid additional motion practice related to the issue of personal jurisdiction;

1 WHEREAS, Langrall has not filed an answer or a motion for summary judgment;

2 WHEREAS, plaintiffs and Langrall stipulate and agree that, pursuant to Rule 41(a) of the
3 Federal Rules of Civil Procedure, Langrall will be dismissed from this action without prejudice;

4 THEREFORE, plaintiffs and Langrall hereby stipulate, through their counsel of record,
5 that Clarke Lagrall, Jr., erroneously sued as Clark Langrall, Jr., is dismissed from this action
6 without prejudice.

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9 SUSSMAN SHANK LLP

10 By /S/
Clifford S. Davidson

11 Attorneys for Plaintiffs Brent Schafer and
12 Todd Construction, Inc

13 I hereby attest that I have on file all holographic signatures corresponding to any signatures
14 indicated by a conformed signature (/S/) within this e-filed document.

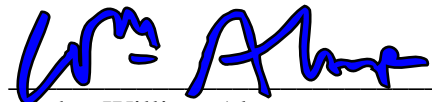
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16 ADELBERG, RUDOW, DORF & HENDLER, LLC

17 By /S/
18 Andrew Radding

19 Attorneys for Defendant
20 Clarke Langrall, Jr.

21 Defendant Langrall's motion to dismiss (Dkt. No. 19) is **Denied** as **Moot**.
22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23 April 22, 2013.
24 Date

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Judge William Alsup
United States District Judge